



02 - 07 - 07

IFW Receipt

Docket No.: 17243/002001  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Melwyn Abreo et al.

Application No.: 10/566,857

Confirmation No.: 2274

Filed: January 30, 2006

Art Unit: N/A

For: PYRIDYL DERIVATIVES AND THEIR USE  
AS THERAPEUTIC AGENTS

Examiner: Not Yet Assigned

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicants, a copy of which is attached hereto, has a typographical error in the ninth inventor's name. Applicants respectfully request that the ninth inventor's name be corrected from "Nagasres Chakka" to --Nagasree Chakka-- as shown in the enclosed copies of:

- 1) the PCT which shows the correct spelling of the ninth inventor's name;
- 2) the signed declaration which has the correct spelling of the ninth inventor's name; and,
- 3) the fifth page of the application data sheet which shows the correct spelling of the ninth inventor's name.



Application No.: 10/566,857

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Applicants additionally request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 17243/002001 from.

Dated: February 7, 2007

Respectfully submitted,

By 

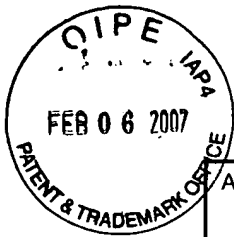
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Registration No.: 48,885  
OSHA · LIANG LLP  
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Houston, Texas 77010  
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Primary Citizenship Country:: Canada  
Status:: Full Capacity  
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Family Name:: Sviridov  
City of Residence:: Burnaby  
Country of Residence:: Canada



Application No. (if known): 10/566,857


Attorney Docket No.: 17243/002001

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV882596867US in an envelope addressed to:

Commissioner for Patents  
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on February 7, 2007  
Date

  
Signature

Salena Hearne Gourrier

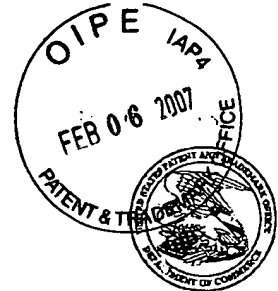
Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Request for Corrected Filing Receipt with attachments (15 pages)  
Transmittal (1 page)  
Return Receipt Postcard



SEP 25 2006

OSHA • LIANG LLP

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/566,857	01/30/2006	1614	4650	17243002001		71	9

CONFIRMATION NO. 2274

22511  
OSHA LIANG L.L.P.  
1221 MCKINNEY STREET  
SUITE 2800  
HOUSTON, TX 77010

## FILING RECEIPT



\*OC000000020481916\*

Date Mailed: 09/19/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Melwyn Abreo, Jamul, CA;  
Daniel F. Harvey, San Diego, CA;  
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Shifeng Liu, Port Coquitlam, CANADA;  
Serguei Sviridov, Burnaby, CANADA;  
Shaoyi Sun, Vancouver, CANADA;

## Assignment For Published Patent Application

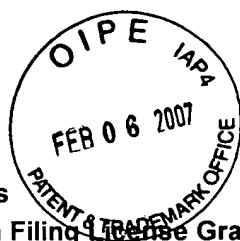
Xenon Pharmaceuticals Inc., Burnaby, BC, CANADA

**Power of Attorney:** The patent practitioners associated with Customer Number **22511**.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/24542 07/29/2004  
which claims benefit of 60/491,140 07/29/2003  
and claims benefit of 60/491,080 07/30/2003 \*  
and claims benefit of 60/491,116 07/30/2003 \*  
and claims benefit of 60/491,322 07/30/2003 \*  
and claims benefit of 60/491,141 07/30/2003 \*

(\*)Data provided by applicant is not consistent with PTO records.

**Foreign Applications**

If Required, Foreign Filing License Granted: 09/18/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/566,857**

Projected Publication Date: 12/28/2006

Non-Publication Request: No

Early Publication Request: No

**Title**

Pyridyl derivatives and their use as therapeutic agents

**Preliminary Class**

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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## LICENSE FOR FOREIGN FILING UNDER

**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

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(19) World Intellectual Property  
Organization  
International Bureau



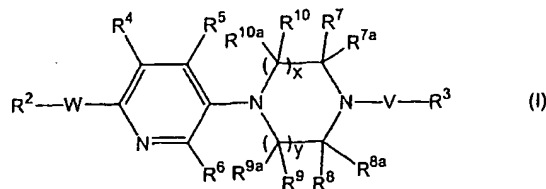
(43) International Publication Date  
10 February 2005 (10.02.2005)

PCT

(10) International Publication Number  
**WO 2005/011654 A2**

- (51) International Patent Classification<sup>7</sup>: **A61K 31/00**
- (21) International Application Number:  
PCT/US2004/024542
- (22) International Filing Date: 29 July 2004 (29.07.2004)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
- |            |                           |    |
|------------|---------------------------|----|
| 60/491,140 | 29 July 2003 (29.07.2003) | US |
| 60/491,080 | 30 July 2003 (30.07.2003) | US |
| 60/491,116 | 30 July 2003 (30.07.2003) | US |
| 60/491,322 | 30 July 2003 (30.07.2003) | US |
| 60/491,141 | 30 July 2003 (30.07.2003) | US |
- (71) Applicant (for all designated States except US): **XENON PHARMACEUTICALS INC.** [CA/CA]; 3650 Gilmore Way, Burnaby, British Columbia V5G 4W8 (CA).
- (72) Inventors; and
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- (74) Agents: **ROTH, Carol, J. et al.**; Seed Intellectual Property Law Group PLLC, Suite 6300, 701 Fifth Avenue, Seattle, WA 98104-7092 (US).
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Declaration under Rule 4.17:  
— of inventorship (Rule 4.17(iv)) for US only
- Published:  
— without international search report and to be republished upon receipt of that report
- For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: PYRIDYL DERIVATIVES AND THEIR USE AS THERAPEUTIC AGENTS




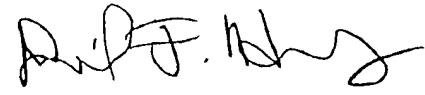

(57) Abstract: Methods of treating an SCD-mediated disease or condition in a mammal, preferably a human, are disclosed, wherein the methods comprise administering to a mammal in need thereof a compound of formula (I): wherein W, V, x, y, R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup>, R<sup>4</sup>, R<sup>5</sup>, R<sup>6</sup>, R<sup>7</sup>, R<sup>7a</sup>, R<sup>8</sup>, R<sup>8a</sup>, R<sup>9</sup>, R<sup>9a</sup>, R<sup>10</sup> and R<sup>10a</sup> are defined herein. Pharmaceutical compositions comprising the compounds of formula (I) are also disclosed.


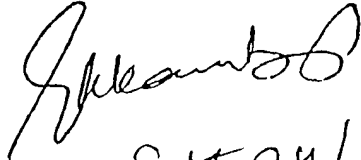
WO 2005/011654 A2



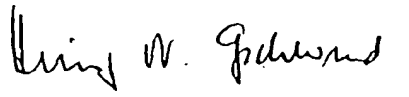
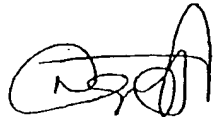
VIII-4-1	<p>Declaration: Inventorship (only for the purposes of the designation of the United States of America)  Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv)) for the purposes of the designation of the United States of America:</p>	<p>I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.</p> <p>This declaration is directed to international application PCT/US2004/024542 (if furnishing declaration pursuant to Rule 26ter).</p> <p>I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications", by application number, country or Member of the World Trade Organization, day, month, and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.</p>
VIII-4-1-1	Prior applications:	60/491,140, US, 29 July 2003 (29.07.2003) ; 60/491,080, US, 30 July 2003 (30.07.2003) ; 60/491,116, US, 30 July 2003 (30.07.2003) ; 60/491,322, US, 30 July 2003 (30.07.2003) ; 60/491,141, US, 30 July 2003 (30.07.2003)

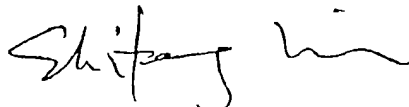

		<p>I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>
VIII-4-1-1-1	Name (LAST, First)	ABREO, Melwyn
VIII-4-1-1-2	Residence: (city and either US State, if applicable, or country)	Jamul, California
VIII-4-1-1-3	Mailing address:	3373 Armagosa Way Jamul, CA 91932 United States of America Jamul California United States of America
VIII-4-1-1-4	Citizenship:	US
VIII-4-1-1-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII-4-1-1-6	Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	3 <sup>rd</sup> sept 2004


VII- 4-1-2-1 VII- 4-1-2-2 VIII- 4-1-2-3	Name (LAST, First)  Residence: (city and either US State, if applicable, or country)  Mailing address:	HARVEY, Daniel F.  San Diego, California  6254 Lakewood Street San Diego, CA 92122 United States of America San Diego California United States of America
VII- 4-1-2-4 VIII- 4-1-2-5  VII- 4-1-2-6	Citizenship:  Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)  Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	US   14 Sept 2004
VII- 4-1-3-1 VIII- 4-1-3-2 VIII- 4-1-3-3	Name (LAST, First)  Residence: (city and either US State, if applicable, or country)  Mailing address:	KONDRATENKO, Mikhail A.,  San Diego, California  12820 Via Nieve #73 San Diego, CA 92130 United States of America San Diego California United States of America
VII- 4-1-3-4 VIII- 4-1-3-5  VII- 4-1-3-6	Citizenship:  Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)  Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	RU   03 September, 2004

VIII- 4-1-4-1	Name (LAST, First)	LI, Wenbao
VIII- 4-1-4-2	Residence: (city and either US State, if applicable, or country)	San Diego, California
VIII- 4-1-4-3	Mailing address:	11674 Castile Way San Diego, CA 92128 United States of America San Diego California United States of America
VIII- 4-1-4-4	Citizenship:	EN USA
VIII- 4-1-4-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-4-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	03 Sept. 2004
VIII- 4-1-5-1	Name (LAST, First)	KAMBOJ, Rajender
VIII- 4-1-5-2	Residence: (city and either US State, if applicable, or country)	Burnaby, Canada
VIII- 4-1-5-3	Mailing address:	5809 Sperling Avenue Burnaby, British Columbia V5E 2T6 Canada Burnaby British Columbia Canada CA
VIII- 4-1-5-4	Citizenship:	
VIII- 4-1-5-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-5-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	Sept 24/04

VIII- 4-1-6-1	Name (LAST, First)	KODUMURU, Vishnumurthy
VIII- 4-1-6-2	Residence: (city and either US State, if applicable, or country)	Burnaby, Canada
VIII- 4-1-6-3	Mailing address:	211-6577 Royal Oak Avenue Burnaby, British Columbia V5H 3P3 Canada
VIII- 4-1-6-3		Burnaby British Columbia Canada
VIII- 4-1-6-4	Citizenship:	CA
VIII- 4-1-6-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	<i>K. Vishnumurthy</i>
VIII- 4-1-6-5		Sept 24, 04
VIII- 4-1-6-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	
VIII- 4-1-7-1	Name (LAST, First)	WINTHER, Michael D.
VIII- 4-1-7-2	Residence: (city and either US State, if applicable, or country)	Vancouver, Canada
VIII- 4-1-7-3	Mailing address:	1935 West 4th Avenue Vancouver, British Columbia V6J 2K1 Canada
VIII- 4-1-7-3		Vancouver British Columbia Canada
VIII- 4-1-7-4	Citizenship:	CA
VIII- 4-1-7-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	<i>Michael D. Winter</i>
VIII- 4-1-7-5		Sept 24, 2004
VIII- 4-1-7-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	

VIII- 4-1-8-1	Name (LAST, First)	GSCHWEND, Heinz W.
VIII- 4-1-8-2	Residence: (city and either US State, if applicable, or country)	Santa Rosa, California
VIII- 4-1-8-3	Mailing address:	161 Meadowcroft Way Santa Rosa, CA 95403 United States of America Santa Rosa California United States of America
VIII- 4-1-8-4	Citizenship:	US
VIII- 4-1-8-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-8-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	Oct. 05, 2004
VIII- 4-1-8-1	Name (LAST, First)	CHAKKA, Nagasree
VIII- 4-1-8-2	Residence: (city and either US State, if applicable, or country)	Burnaby, Canada
VIII- 4-1-8-3	Mailing address:	211-6577 Royal Oak Avenue Burnaby, British Columbia V5H 3P3 Canada Burnaby British Columbia Canada
VIII- 4-1-8-4	Citizenship:	CA
VIII- 4-1-8-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-8-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	27 <sup>th</sup> Sept 2004

VIII- 4-1-10-1	Name (LAST, First)	LIU, Shifeng
VIII- 4-1-10-2	Residence: (city and either US State, if applicable, or country)	Port Coquitlam, Canada
VIII- 4-1-10-3	Mailing address:	15-2615 Fortress Drive Port Coquitlam, British Columbia V3C 6E8 Canada Port Coquitlam British Columbia Canada CA
VIII- 4-1-10-4	Citizenship:	CA
VIII- 4-1-10-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-10-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	09/24/04
VIII- 4-1-11-1	Name (LAST, First)	SVIRIDOV, Serguei
VIII- 4-1-11-2	Residence: (city and either US State, if applicable, or country)	Burnaby, Canada
VIII- 4-1-11-3	Mailing address:	1904-5885 Olive Avenue Burnaby, British Columbia V5H 4N8 Canada Burnaby British Columbia Canada CA
VIII- 4-1-11-4	Citizenship:	CA
VIII- 4-1-11-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-11-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	Sept. 24, 2004

VIII- 4-1-12-1	Name (LAST, First)	SUN, Shaoyi
VIII- 4-1-12-2	Residence: (city and either US State, if applicable, or country)	Vancouver, Canada
VIII- 4-1-12-3	Mailing address:	#407-1029 East Broadway Vancouver, British Columbia V5T 1Y8 Canada Vancouver British Columbia Canada CA
VIII- 4-1-12-4	Citizenship:	
VIII- 4-1-12-5	Inventor's Signature: (If not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)	
VIII- 4-1-12-6	Date (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)	09/24/04